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For Immediate release - July 30, 2012

GOVERNOR PATRICK SIGNS GAMING COMPACT WITH MASHPEE WAMPANOAG TRIBE

BOSTON – Monday, July 30, 2012 – Governor Deval Patrick today joined legislators and members of the Mashpee Wampanoag Tribe to sign H.4261 “Resolve Relating To The Tribal-State Compact Between The Mashpee Wampanoag Tribe And The Commonwealth Of Massachusetts.” Signing the Resolve is the final step in the process before the Compact can be submitted to the United States Department of the Interior for final approval. The Department of Interior will have 45 days to review and act on the Compact upon its joint submission.



Governor Patrick signs H.4261, “Resolve Relating To The Tribal-State Compact Between The Mashpee Wampanoag Tribe And The Commonwealth Of Massachusetts.” (Photo Credit: Eric Haynes / Governor’s Office) [View full size photo.](#)

“I thank the Legislature for approving the Compact with the Mashpee Wampanoags,” said Governor Patrick. “This is an important milestone and a good deal for both the Commonwealth and the Tribe. It respects the inherent rights of the Tribe while adhering to the principles set forth in the Expanded Gaming Act. Now we turn our attention to the federal government and final approval of the Compact and the Tribe’s land in trust application.”

The Compact, which includes significant concessions by the Commonwealth, establishes the relationship between the Tribe and the Commonwealth for the operation of a tribal casino in Taunton and sets out, in detail, a structure for the operation of such a casino. The Compact was executed on July 12, 2012 with the federally-recognized sovereign Mashpee Wampanoag Tribe and approved by the Legislature on July 26, 2012.

“I commend Governor Patrick for his negotiation with the Mashpee Wampanoag Tribe on what is a very strong and fair compact,” said House Speaker Robert A. DeLeo. “While these terms are in the best interest of both the Commonwealth and the Tribe, this Compact represents another step forward for Massachusetts’ economy.”

"This is a great day in the history of the Mashpee Wampanoag Tribe, the People of the First Light. We thank the Governor and the Legislature for the seriousness and cooperative spirit with which they approached this historic Compact," said Mashpee Wampanoag Chairman Cedric Cromwell. "This brings us another step closer to achieving economic self-sufficiency for the Mashpee Wampanoag people while providing much-needed jobs and revenue to Taunton, Southeastern Massachusetts and the Commonwealth as a whole."

"I would like to thank Governor Patrick's office and the Legislature for working together with the Mashpee Wampanoag Tribe to reach a completed Compact," said Taunton Mayor Thomas C. Hoye Jr. "This is a vital step in the process of bringing economic opportunity and employment potential to Taunton and Southeastern Massachusetts."

The Commonwealth and the Mashpee Wampanoag negotiated the Compact over the course of several months. As a tribal government, the Mashpee Wampanoag is not subject to the recently passed Expanded Gaming Act. In exchange for several concessions from the state, the Compact establishes guidelines for a potential tribal casino that are consistent with the policies and principles outlined in the Expanded Gaming Act:

A newly formed Tribal Gaming Commission (TGC) will be the primary regulator of the Facility's gaming operations, subject to oversight and concurrent regulation by Massachusetts Gaming Commission (MGC) and National Indian Gaming Commission (NIGC).

- The Indian Gaming Regulatory Act (IGRA) authorizes a Tribe to conduct any gaming that is legally authorized in the state. Therefore, the Compact authorizes the Mashpee Wampanoag Tribe to operate casino-style ("Class III") games allowed elsewhere in the Commonwealth, excluding live horse racing.
- The Compact agrees that the tribal facility will be non-smoking.
- The Compact includes a revenue allocation equal to 21.5 percent of gross gaming revenue from the Tribe to the Commonwealth. This allocation will address the impact costs of a new facility and is agreed to in consideration of concessions made by the Commonwealth.
- The Commonwealth will distribute any revenue allocation in a manner consistent with the Expanded Gaming Act, including dedicating funds for mitigation in communities affected by a casino.
- The Compact is for a 15-year term, with an automatic renewal for an additional 15-year term unless either party provides notice for modification or nonrenewal.

The Commonwealth agrees in the Compact to several concessions to the Tribe. First, the Commonwealth agreed to enter into the Compact before the Tribe's federal land in trust process was completed, and will advocate for Compact approval by the Secretary of the Interior. The Administration will also actively support the Tribe's pending land-in-trust applications for Taunton and Mashpee.

The Compact also advances the Commonwealth's stated priority of regional economic development while protecting public safety and public health, ensuring strong regulatory oversight, supporting host and surrounding communities and providing quality employee benefits. The Compact includes the following additional provisions:

- The Commonwealth is granted jurisdiction and may prosecute under its laws and in its courts any violations of its gaming laws, other crimes against the facility's gaming operations or any other crimes occurring at the facility, just as it can for commercial facilities.
- The Tribe agrees to contribute to the Public Health Trust Fund.
- The Massachusetts Gaming Commission will have the right to inspect the facility, all gaming activity and all related records.
- The Tribe has agreed to an inter-governmental agreement with the host community to mitigate the impact of the facility's construction.
- Pursuant to federal law, the Tribe must conduct an Environmental Impact Study (EIS) under NEPA, which includes a comprehensive analysis of the environmental, infrastructure, educational, cultural, social and economic impacts of the facility on the region.
- The Tribe must consent to jurisdiction of the agencies responsible for enforcing the state worker's compensation and unemployment insurance laws.
- The Tribe will provide employees with health care benefits that meet or exceed standards set forth in state health care laws.

The Mashpee Wampanoag Tribe has identified Taunton as a location for a gaming facility and reached an agreement with the City that was approved by voters in June. Before a facility can open at the location, the Tribe must have land placed in-trust with the United States Department of the Interior.

In November 2011, Governor Patrick signed the Expanded Gaming Act, which authorized the creation of three resort-style gaming facilities in Massachusetts, along with one slot facility. The Act allows for the gaming facilities to be built in three regions, Western Massachusetts, Greater Boston and Southeastern Massachusetts. The Act directed the Governor to negotiate a compact with any

eligible, federally-recognized sovereign Tribe for a facility in the Southeastern region.

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